

Dated: March 30, 1995.

Daniel M. Barolo,
Director, Office of Pesticide Programs.

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[OPP-66210; FRL 4944-5]

Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, EPA is issuing a

notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations.

DATES: Unless a request is withdrawn by July 18, 1995, orders will be issued cancelling all of these registrations.

FOR FURTHER INFORMATION CONTACT: By mail: James A. Hollins, Office of Pesticide Programs (7502C), Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. Office location for commercial courier delivery and telephone number: Room 216, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 305-5761; hollins.james@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

Section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, provides that a pesticide registrant may, at any time, request that any of its pesticide registrations be cancelled. The Act further provides that EPA must publish a notice of receipt of any such request in the **Federal Register** before acting on the request.

II. Intent to Cancel

This notice announces receipt by the Agency of requests to cancel some 22 pesticide products registered under section 3 or 24(c) of FIFRA. These registrations are listed in sequence by registration number (or company number and 24(c) number) in the following Table 1:

TABLE 1. — REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration No.	Product Name	Chemical Name
000264-00471	Mocap 5G Nematicide - Insecticide	O-Ethyl S,S-dipropyl phosphorodithioate
000264-00497	Mocap 10% Granular Restricted Use Nematicide - Insecticide	O-Ethyl S,S-dipropyl phosphorodithioate
000275-00057	Pro-Shear	N-(Phenylmethyl)-1H-purin-6-amine
000279 SD-91-0001	Furadan 4F	2,3-Dihydro-2,2-dimethyl-7-benzofuranyl methylcarbamate
000279 SD-92-0008	Furadan 4F	2,3-Dihydro-2,2-dimethyl-7-benzofuranyl methylcarbamate
000748-00249	Rez Stain & Wood Preservative Solid Color Oil	N-((Trichloromethyl)thio)phthalimide
		Bis(tributyltin) oxide
000748-00250	Rez Stain & Wood Preservative Semi-Transparent-Oil	N-((Trichloromethyl)thio)phthalimide
		Bis(tributyltin) oxide
000769-00849	Pratt Fruit Tree Spray	Methoxychlor (2,2-bis(p-methoxyphenyl)-1,1,1-trichloroethane)
		O,O-Dimethyl phosphorodithioate of diethyl mercaptosuccinate
		Sulfur
		cis-N-Trichloromethylthio-4-cyclohexene-1,2-dicarboximide
000802-00241	Lilly/Miller Envy 2, 4-D	2,4-Dichlorophenoxyacetic acid
		Triethylamine 2,4-dichlorophenoxyacetate
000802 CA-93-0012	Lilly/Miller Envy 2, 4-D	2,4-Dichlorophenoxyacetic acid
		Triethylamine 2,4-dichlorophenoxyacetate
003125 WA-80-0069	Meta-Systox-R Spray Concentrate	S-(2-(Ethylsulfanyl)ethyl) O,O-dimethyl phosphorothioate
005870-20003	C-13	Sodium hypochlorite
005870-20004	Chemcide	Sodium hypochlorite
007313-00005	Olympic Semi-Transparent Weather Screen	N-((Trichloromethyl)thio)phthalimide
		Bis(tributyltin) oxide
007313-00007	Olympic Wood Preservative (green)	Copper naphthenate
007313-00008	Olympic Solid Color Weather Screen	N-((Trichloromethyl)thio)phthalimide
		Bis(tributyltin) oxide
008590-00362	Garden Insecticide Dust with Diazinon	O,O-Diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate
010693-00002	Flo Kem Emulsion Bowl Cleaner Deodzs. Disinfects Bleach	Hydrogen chloride
		Alkyl* dimethyl benzyl ammonium chloride *(50%C ₁₄ , 40%C ₁₂ , 10%C ₁₆)
010693-00009	Flo Kem Royal Flush Bowl Cleaner	Hydrogen chloride
		Nonylphenoxypolyethoxyethanol - iodine complex

TABLE 1. — REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
025293-00001	Ex-O-Dine	Phosphoric acid Nonylphenoxypolyethoxyethanol - iodine complex Phosphoric acid
048211-00076	Kitten & Bear Retard	1,2-Dihydro-3,6-pyridazinedione, potassium salt
060256 CA-90-0028	Florel Plant Growth Regulator	(2-Chloroethyl)phosphonic acid

Unless a request is withdrawn by the registrant within 90 days of publication of this notice, orders will be issued cancelling all of these registrations. Users of these pesticides or anyone else desiring the retention of a registration should contact the applicable registrant directly during this 90-day period. The following Table 2, includes the names and addresses of record for all registrants of the products in Table 1, in sequence by EPA Company Number.

TABLE 2. — REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

EPA Company No.	Company Name and Address
000264	Rhone-Poulenc Ag Co., Box 12014, Research Triangle Park, NC 27709.
000275	Abbott Laboratories, Chemical & Agricultural Products Div., 1401 Sheridan Rd., D-28R, Bldg A1, North Chicago, IL 60064.
000279	FMC Corp., Agricultural Chemical Group, 1735 Market St., Philadelphia, PA 19103.
000748	PPG Industries, Inc., Product Safety, One PPG Place, Pittsburgh, PA 15272.
000769	Sureco Inc., 10008 N Dale Mabry, Ste., 121, Tampa, FL 33618.
000802	Chas. H. Lilly Co., Box 83179, Portland, OR 97283.
003125	Miles Inc., Agriculture Division, 8400 Hawthorn Rd., Box 4913, Kansas City, MO 64120.
005870	Texo Corp., 2801 Highland Ave, Cincinnati, OH 45212.
007313	PPG Architectural Finishes, Inc., Coatings & Resins Group, 151 Colfax Street, Box 127, Springdale, PA 15144.
008590	Universal Cooperatives Inc., Agent For: Agway Inc., Box 460, Minneapolis, MN 55440.
010693	Flo-Kem Inc., 19402 Susana Rd., Rancho Dominguez, CA 90221.
025293	Eckert R P Co., 1140 Ferris Rd., Amelia, OH 45102.
048211	Intercon Chemical, 1100 Central Industrial Dr., St. Louis, MO 63110.
060256	California Seed Association, 1521 "I" St., Sacramento, CA 95814.

III. Loss of Active Ingredients

Unless the request for cancellation is withdrawn, one pesticide active ingredients will no longer appear in any

registered products. Those who are concerned about the potential loss of this active ingredient for pesticidal use are encouraged to work directly with the

registrant to explore the possibility of their withdrawing the request for cancellation. This active ingredient is listed in the following Table 3, with the EPA Company Number.

TABLE 3. — ACTIVE INGREDIENTS WHICH WOULD DISAPPEAR AS A RESULT OF REGISTRANTS' REQUESTS TO CANCEL

Cas No.	Chemical Name	EPA Company No.
2646-78-8	Triethylamine 2,4-dichlorophenoxyacetate	000802

IV. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to James A. Hollins, at the address given above, postmarked before July 18, 1995. This written withdrawal of the request for cancellation will apply only to the applicable 6(f)(1) request listed in this notice. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation

and all other provisions of any earlier cancellation action are controlling. The withdrawal request must also include a commitment to pay any reregistration fees due, and to fulfill any applicable unsatisfied data requirements.

V. Provisions for Disposition of Existing Stocks

The effective date of cancellation will be the date of the cancellation order. The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing

stocks for 1 year after the date the cancellation request was received. This policy is in accordance with the Agency's statement of policy as prescribed in **Federal Register** No. 123, Vol. 56, dated June 26, 1991. Exceptions to this general rule will be made if a product poses a risk concern, or is in noncompliance with reregistration requirements, or is subject to a data call-in. In all cases, product-specific disposition dates will be given in the cancellation orders.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product(s). Exceptions to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in Special Review actions, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

List of Subjects

Environmental protection, Pesticides and pests, Product registrations.

Dated: March 28, 1995.

Daniel M. Barolo,

Director, Office of Pesticide Programs.

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[OPP-300381; FRL-4944-1]

Propargite; Request for Comment on Petition to Revoke Certain Feed Additive Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; receipt and availability of petition.

SUMMARY: This document announces the receipt of and solicits comments on a petition proposing the revocation of the section 409 feed additive regulation established under the Federal Food, Drug and Cosmetic Act (FFDCA, 21 U.S.C. 348a), for propargite on dried apple pomace. This notice sets forth the basis for the petitioner's proposal and provides opportunity for comment by the public.

DATES: Written comments, identified by the document control number [OPP-300381], must be received on or before May 19, 1995.

ADDRESSES: By mail, requests for copies of the petition and comments should be forwarded to Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, 401 M St., SW., Washington, DC 20460. Copies of the

petition will be available for public inspection from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays in: Information Services Branch, Program Management and Support Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, 703-305-5805.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection at the address and hours given above.

FOR FURTHER INFORMATION CONTACT: By mail: Niloufar Nazmi, Special Review and Reregistration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. WF32C5, Crystal Station #1, 2800 Crystal Drive, Arlington, VA, Telephone: 703-308-8028; e-mail: Nazmi.Niloufar@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

Introduction

A. Statutory Framework

The Federal Food, Drug and Cosmetic Act (FFDCA) (21 U.S.C. 136 et seq.) authorizes the establishment of tolerances and exemptions from tolerances for the residues of pesticides in or on raw agricultural commodities (RAC's), and section 409 of the act authorizes promulgation of food additive regulations for pesticide residues in processed foods.

Under section 408, EPA establishes tolerances, or exemptions from tolerances when appropriate, for pesticide residues in raw agricultural commodities. Food additive regulations setting maximum permissible levels of pesticide residues in processed foods are established under section 409. Section 409 food additive regulations are required, however, only for certain pesticide residues in processed food. Under section 402(a)(2) of the FFDCA, no section 409 food additive regulation is required if any pesticide residue in a processed food resulting from use on a

RAC has been removed to the extent possible by good manufacturing practices and is below the tolerance for that pesticide in or on that RAC. This exemption in section 402(a)(2) is commonly referred to as the "flow-through" provision because it allows the section 408 raw food tolerance to flow through to processed food. Thus, a section 409 food additive regulation is only necessary to prevent foods from being deemed adulterated when despite the use of good manufacturing practices the concentration of the pesticide residue in a processed food is greater than the tolerance prescribed for the raw agricultural commodity, or if the processed food itself is treated or comes in contact with a pesticide. Monitoring and enforcement are carried out by the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA).

The establishment of a food additive regulation under section 409 requires a finding that use of the pesticide will be "safe" (21 U.S.C. 348(C)(3)). Section 409 also contains the Delaney clause, which specifically provides that, with limited exceptions, no additive may be approved if it has been found to induce cancer in man or animals (21 U.S.C. 348(C)(5)).

In setting both section 408 tolerances and section 409 food additive regulations, EPA reviews residue chemistry and toxicology data. To be acceptable, tolerances must be both high enough to cover residues likely to be left when the pesticide is used in accordance with its labeling and low enough to protect the public health. With respect to section 408 tolerances, EPA determines the highest levels of residues that might be present in a raw agricultural commodity based on controlled field trials conducted under the conditions allowed by the product's labeling that are expected to yield maximum residues. Generally, EPA's policy concerning whether a section 409 food additive regulation is needed depends on whether there is a possibility that the processing of a raw agricultural commodity containing pesticide residues would result in residues in the processed food at a level greater than the raw food tolerance.

II. Petitions

Uniroyal Chemical Co. has submitted a petition requesting the revocation of the feed additive regulation (FAR) established under section 409 of the FFDCA for propargite on dried apple pomace. This regulation is codified in 40 CFR 186.5000 and is established at 80 parts per million (ppm).